

REMARKS

In response to the final Office Action dated March 8, 2010, the Assignee respectfully requests continued examination and reconsideration based on the above amendments and on the following remarks.

Claims 1-4, 6-15, and 18-38 are pending in this application.

Rejection of Claims under § 103 (a)

The Office rejected claims 1-4, 6-15, and 18-38 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Application Publication 2002/0049631 to Williams in view of WO 99/45702 to Knudsen.

These claims, though, are not obvious over *Williams* with *Knudsen*. These claims recite, or incorporate, many features that are not disclosed or suggested by the combined teaching of *Williams* with *Knudsen*. Independent claim 1, for example, recites “*comparing the event timeline data to the credit card purchase records*” and “*classifying the user in the user classification when the event timeline data matches the credit card purchase records*.” Support may be found at least at paragraphs [0048]. Independent claims 15 and 38 recite similar features.

At least these features are not obvious over *Williams* and *Knudsen*. *Williams* discusses an incentive system that associates incentives to purchased items. *See, e.g.*, U.S. Patent Application Publication 2002/0049631 to Williams at paragraphs [0012], [0013], and [0033]. *Williams* discusses a set top box that can send “an acceptance of an offer” in “instructions” to an advertisement. U.S. Patent Application Publication 2002/0049631 to Williams at paragraphs [0035] - [0037]. *Knudsen* describes how tags may be added to advertising and programming. An “advertisement for athletic footwear,” for example, may include a “channel tag” that includes “channel identifier information” for sports channels. *See* WO 99/45702 to Knudsen at page 29, lines 18-22 (emphasis added). “Broadcast time tags” identify broadcast times, such that

“advertisements for breakfast foods” are associated with “morning time slots” and “dinner foods” are associated with “evening” hours. *Knudsen*, at page 29, lines 22-28 (emphasis added). “Category tags” relate to “genres or themes,” such that the “advertisement for athletic footwear” may be associated with “sports.” *See id.* (emphasis added).

The independent claims, then, are not obvious over *Williams* and *Knudsen*. The proposed combination of *Williams* and *Knudsen* associates tags to advertisements. The independent claims, in contradistinction, “*compar[e] the event timeline data to the credit card purchase records*” (emphasis added). The comparison of “*event timeline data*” is not equivalent to a comparison of tags in programming. One of ordinary skill in the art, then, would not think that the independent claims are obvious.

Independent claims 15 and 38 recite even more distinguishing features. Independent claim 15, for example, recites “*comparing the clickstream data to a table stored in the memory, the table defining events of interest.*” Support may be found at least at paragraphs [0044E] - [0044G] and Table II. Independent claim 38 recites similar features. Because *Williams* and *Knudsen* is additionally silent to these features, independent claims 15 and 38 must distinguish.

Claims 1-4, 6-15, and 18-38, then, are not obvious over *Williams* with *Knudsen*. The independent claims recite many features that are not disclosed or suggested by *Williams* with *Knudsen*. Their respective dependent claims incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1-6, 6-15, and 18-38 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,



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